

107TH CONGRESS
1ST SESSION

H. R. 943

To amend the Public Health Service Act with respect to the availability of influenza vaccine through the program under section 317 of such Act.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2001

Mr. CONDIT (for himself, Mr. UDALL of New Mexico, and Mrs. EMERSON) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act with respect to the availability of influenza vaccine through the program under section 317 of such Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Flu Vaccine Avail-
5 ability Act of 2001”.

1 **SEC. 2. AMENDMENT TO PUBLIC HEALTH SERVICE ACT RE-**
2 **GARDING AVAILABILITY OF INFLUENZA VAC-**
3 **CINE.**

4 Section 317(j) of the Public Health Service Act (42
5 U.S.C. 247b(j)) is amended by adding at the end the fol-
6 lowing paragraph:

7 “(3)(A) For the purpose of carrying out activities re-
8 lating to influenza vaccine under the immunization pro-
9 gram under this subsection, there are authorized to be ap-
10 propriated such sums as may be necessary for each of the
11 fiscal years 2001 and 2002. Such authorization is in addi-
12 tion to amounts available under paragraphs (1) and (2)
13 for such purpose.

14 “(B) The authorization of appropriations established
15 in subparagraph (A) is not effective for a fiscal year unless
16 the total amount appropriated under paragraphs (1) and
17 (2) for the fiscal year is not less than such total for fiscal
18 year 2000.

19 “(C) The purposes for which amounts appropriated
20 under subparagraph (A) are available include the payment
21 of program expenses for the immunization program under
22 this subsection in order to ensure that influenza vaccines
23 purchased under this subsection are received by the
24 States, and distributed to qualifying health care providers
25 for the immunization of children, adolescents, and adults,

1 in accordance with criteria of the Secretary for the oper-
2 ation of the immunization program under this subsection.

3 “(D) The Secretary shall submit reports to the Con-
4 gress describing the activities of the Secretary under this
5 subsection regarding influenza vaccine. Such reports may
6 include any recommendations of the Secretary for admin-
7 istrative or legislative actions to improve operations under
8 this subsection regarding such vaccine. The first such re-
9 port shall be submitted not later than February 1, 2002,
10 the second report shall be submitted not later than Feb-
11 ruary 1, 2003, and subsequent reports shall be submitted
12 biennially thereafter.

13 “(E) For purposes of this paragraph, the term ‘quali-
14 fying health care provider’ means—

15 “(i) a physician as defined in section 1861(r) of
16 the Social Security Act; and

17 “(ii) a provider of services under section
18 1861(u) of such Act.”.

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